

BOARD OF FUNERAL DIRECTORS AND EMBALMERS
INSPECTION PLAN

I. STATUTORY AUTHORITY

- A. Section 54.1-2803, Code of Virginia: This section gives the Board the power and authority to regulate, inspect and register all establishments and premises where the practice of funeral service is practiced.
- B. Board of Funeral Directors and Embalmers Regulation 18 VAC 65-20-170.A (Regulations of Establishments): This regulation states that no person shall operate a funeral service establishment until such establishment holds a permit issued by the Board.
- C. Sections 54.1-2505(9) and 54.1-2506, Code of Virginia: These sections require the Director of the Department to enforce the boards' laws and regulations.

II. BACKGROUND DISCUSSION

- A. Board of Funeral Directors and Embalmers: The Board, by section 54.1-2803 of the Code of Virginia, establishes standards of conduct for the practice of funeral service.

The Board inspects each licensed funeral establishment on a routine basis.
- B. Inspection Division: The Inspection Division, established on July 1, 1986, inspects and, by request, monitors compliance by licensees with sanctions and terms of Board orders. The Division also conducts background investigations on request for reinstatement or upon application of licensure.
- C. Inspection Plan: This plan establishes procedures to be followed for the selection, conduct, and reporting of inspections of funeral establishments.

III. OBJECTIVE: To comply with regulations governing funeral establishments by inspecting 164 funeral establishments annually.

IV. TYPES OF FACILITIES SUBJECT TO INSPECTION: The Board of Funeral Directors and Embalmers issue one permit for all funeral service establishments. There are approximately 490 licensed funeral service establishments subject to inspection.

A funeral service establishment is any place, including main establishment, branches or chapels, where any part of the profession or business of funeral direction or any act of embalming, or either or both, is carried on, conducted or performed, or is permitted to be carried on, conducted or performed.

It requires an average of 2.5 hours of on-site time and one hour of travel time to

conduct an inspection of a funeral service establishment.

V. TYPES OF INSPECTION

- A. New : Facilities which have made application to the Board for a funeral service establishment permit are required to be inspected prior to opening to determine if all requirements have been met.

These inspections will be announced.

Approximately 25 new funeral establishment inspection will conducted each year.

- B. Routine Inspections: These are conducted to determine if the establishment continues to meet the requirements.

Routine inspections are unannounced inspections. In an instance where a licensee is not present at all times between 9:00 a.m. to 5:00 p.m., the inspector may contact the funeral services licensee to schedule an appointment to conduct the inspection.

The frequency of routine inspections is discussed in Section VII of this Plan.

Approximately 300 routine establishment inspections will be conducted each year.

- C. Reinspections: Reinspections are inspections at the request of the Board as a result of deficiencies noted on a previous inspection reported.

These inspections determine if establishments have corrected the previously-cited deficiencies. The inspector will also inspect the areas outlined in Section VI.A. If the inspector observes a new violation, it shall be included in the reinspection report.

As probable cause exists from the deficiencies noted on the previous inspection report, reinspections will be unannounced.

Approximately 45 reinspections will be conducted each year.

V. ESTABLISHMENT INSPECTION ITEMS:

- A. Routine Inspections: When conducting routine inspections, the inspector will determine the following:

Permits/Licenses [Section 54.1-2818 and 54.1-2810, Code of Virginia, and Board Regulation [18 VAC 65-20-120 and 18 VAC 65-20-170].

- a. Displayed: [Board Regulation 18 VAC 65-20-50]. Each permit, displayed in a conspicuous place. A conspicuous could be in a room or office in which funeral arrangements are made and in a

manner so that they can be reasonably read by the public, yes or no?
If no, document.

- b. Current: All permits and licenses must be current, yes or no. If no, document.
- 2. Embalming Report [Board Regulation 18 VAC 65-20-510 and Appendix IV]: Separate identifiable report maintained for each embalming conducted, yes or no? If no, document.
 - a. Embalming Report include:
 - (1) Name of deceased, yes or no? If no, document.
 - (2) Date of death, yes or no? If no, document.
 - (3) Date of embalming, yes or no? If no, document.
 - (4) Embalmer name and license number, yes or no? If no, document.
 - (5) Autopsy information, if applicable, yes or no? If no document.
 - (6) Pre-embalming condition of body, yes or no? If no, document.
 - (7) Description of pre-embalming preparation, yes or no? If no, document.
 - (8) Description of fluids used, yes or no? If no, document.
 - (9) Type and point of injection, yes or no? If no, document.
 - (10) Quality of fluid distribution, yes or no? If no, document.
 - (11) Type and amount of cavity fluid, yes or no? If no, document.
 - (12) Body cavity treatment, yes or no? If no, document.
 - (13) Restoration techniques, yes or no? If no, document.
 - (14) Other conditions and treatment, yes or no? If no, document.
- 3. Documentation of Embalming [18VAC 65-20-530]:
 - a. Prior approval of embalming obtained, yes or no? If no, document.
 - b. If no prior approval:
 - (1) reasons documented in writing, yes or no? If no, document.
 - (2) efforts documented to contact family, yes or no? If no, document
 - (3) documents licensee authorizing embalming, yes or no? document.
- 4. Preparation Room [Section 54.1-2811 Code of Virginia and Board Regulation 18 VAC 65-20-540. (A)]: A room used exclusively for embalming, yes or no? If no, document.

Record size of the embalming room on the inspection report form.
- 5. Preparation Room Requirements [Board Regulation 18 VAC 65-20-540-B]:

Preparation room equipped with the following:

- a. Walls extending floor to ceiling, yes or no? If no, document.
 - b. Floor and wall surfaces covered by material impervious to water, yes or no? If no, document.
 - c. Material extend from wall to wall with joints tight and sanitary, yes or no? If no, document.
6. Condition of Preparation Room [Board Regulation 18 VAC 65-20-570]:
- a. Preparation Room Sanitation The inspector will check for cleanliness and sanitation. If the room is unclean and not free of filth, used cotton, bandages, and other waste materials, the inspector will describe the conditions on the inspection report form and take photographs to substantiate the exact nature of the unsanitary conditions.
 - b. Preparation room floor free of inventories of embalming and preparation materials, yes or no? If no, document.

7. Preparation Room Equipment: [Board Regulation 18 VAC 65-20-580]:

Preparation room equipped with the following equipment:

- a. Operational ventilation system, yes or no? If no, document
- b. Hot water, yes or no. If no, document.
- c. Cold water, yes or no? If no, document.
- d. Flush or slop sink connected with public sewer or septic tank, yes or no? If no, document.
- e. Metal or porcelain morgue table, yes or no. If no, document.
- f. Covered waste container, yes or no. If no, document.
- g. All instruments and apparatus necessary to do the embalming process.
- h. Approved means for the sterilization of instruments, yes or no. If yes, indicate whether the process is a chemical bath or soak, autoclave (steam, or ultraviolet light.
- i. All necessary disinfectants and antiseptics, yes or no? If no, document. (Documentation would include the observance of a container labeled as a disinfectant or antiseptic solution; indicate the name of the solution.)
- j. Clean gowns or aprons, yes or no? If no, document.
- k. Rubber gloves, yes or no? If no, document.
- l. Hydroaspirator (s) equipped with a vacuum breaker, yes or no? If no, document.
- m. Eye wash station, yes or no? If no, document.
- n. First aid kit immediately outside the door to preparation room, yes or no. If no, document.

8. General Price List [Section 54.1-2812, Code of Virginia and Board Regulation 18 VAC 65-20-630, Appendix I, and FTC Regulation 453.2 (4)]: General Price List provided to persons to retain if they choose, yes or no? If no, document.
 - a. Required price list contains the following information, yes or no? If no, document.
 - (1) Name, address, and telephone number of funeral provider's place of business.
 - (2) Caption describing the list as a general price list.
 - (3) Effective date for price list.
 - b. Required price list contains the retail prices expressed or either a flat rate or price per hour, or mile, or other unit of computation for services and supplies offered for sale, yes or no? If no, document.
 - c. Required price list contains the following disclosures on first page, yes or no? If no, document.
 - 1) "The goods and services... You may choose... Charge for services ... If legal or requirements... Certain funeral services may be provided off Premises".
 - d. Required price list contains following disclosures professional services, and description of what charge include, yes or no? If no, document.
 - (1) Basic services of funeral director and staff and overhead.
 - (2) Disclosures: "This fee for our basic services and overhead will be added... This fee already included in...
 - e. Required price list contains following uses of facility and description of what charge includes, yes or no? If no, document.
 - (1) Basic facilities;
 - (2) Facilities and for visitation and viewing; and
 - (3) Facilities and staff for funeral ceremony
 - (4) Facilities and staff for memorial service.
 - f. Required price list contains disclosures and separate prices for embalming normal remains versus autopsied remains if charges are different, yes or no. If no, document.
 - g. Required price list contains other preparations of body and prices, yes or no? If no, document.
 - h. Required price list contains the following immediate burial services and description of what base prices immediate burial services include, yes or no. If no, document.
 - (1) Immediate burial where purchaser provides casket;

- (2) Immediate burial where licensee provides minimum casket or alternate container;
 - (3) Immediate burial base price plus a casket (other than the minimum) chosen by the purchaser; and
 - (4) Price range for immediate burials.
 - i. Required price list contains the following disclosures, direct cremation services and description of what price of a direct cremation include, yes or no? If no, document.
 - (1) Direct cremation where purchaser provides container;
 - (2) Direct cremation where licensee provides and alternative container.
 - (3) Direct cremation where licensee provides an unfinished wood box;
 - (4) Price range for direct cremation; and
 - (5) Disclosure, if arrange direct cremation: "State and local laws do not require a casket... Can use an alternative container... Alternative container made of..."
 - j. Require price list contains following transfer services and description of what prices for services include, yes or no? If no, document.
 - (1) Transfer remains to funeral establishment.
 - (2) Forwarding remains to another funeral establishment.
 - (3) Receiving remains from another funeral home.
 - k. Required price list contains following automotive service if owned by the facility, yes or no. If no, document.
 - (1) Hearse;
 - (2) Limousine; and
 - (3) Other automotive equipment.
 - l. Required price list contains disclosure and price for following merchandise if offered for sale, yes or no? If no, document.
 - (1) Caskets; price
 - (2) Outer Burial Container; price range
 - (3) Cremation Urns;
 - (4) Cremation Vaults;
 - (5) Acknowledge Cards;
 - (6) Register Book(s);
 - (7) Folders; and
 - (8) Other
 - (9) Disclosure: "A complete price list will be provided at the funeral establishment" under items #(1) and #(2) above.
9. Outer Burial Container and Casket Price List: [Board Regulation 18 VAC 65-20-630, Appendix II and FTC Regulation 453.2 (2) and (3)]: Funeral provider who sells or offers for sale caskets, alternative containers or outer burial containers must prepare an "Outer Burial Container and Casket Price List":

- a. Container and casket price list:
 - (1) Accompany or is a part of general price list, yes or no? If no, document.
 - (2) Typewritten or printed and shown to public, yes or no? If no, document.
 - (3) Disclose the following; yes or no. If no, document.
 - (a) Name of funeral provider's place of business.
 - (b) Caption describing the list as casket, alternative container, outer burial list, or
 - (c) Retail prices of all caskets, alternative container and outer burial container which do not require ordering;
 - (d) Effective date (s) of price list (s) and;
 - (e) Enough information to identify the manufacturer, models, types, and interior of all units available for sale.
 - b. Casket selection room have available a means for indicating price of each sheet within room, yes or no? If no, document.
 - c. Outer burial container list contain the following disclosures:
 - (1) "The only warranty on the casket or outer burial container... This funeral home takes no warranty..."
 - (2) "In most areas of the country, no state or local law requires..."
 - d. Casket price list contains the following disclosures:
 - (1) "The only warranty," etc.
10. Itemized Statement of Funeral Services [Section 54.1-2812, Code of Virginia and Board of Regulation 18 VAC 65-20-630, Appendix III, FTC Regulation 453.2 (5)]: Licensees provide to each person who arranges a funeral or other disposition of human remains, a copy of an itemized written statement of funeral goods and services selected and prices to be paid for each time, yes or no? If no, document.
- (a) Itemized statement signed by a funeral service licensee or funeral director and party contracting for funeral arrangements, yes or no? If no, document.
 - (b) Itemized statement contains a statement that the contracting party acknowledges the receipt of copy of itemized statement, general price list and container price list, yes or no? If no, document.
 - (c) Itemized statement includes all items and charges which are made available to the contracting party, such as the following categories, yes or no? If no, document.
 - (1) Professional services of funeral licensees and staff;
 - a) minimum services of funeral director and staff; and
 - b) optimal services of funeral director staff

(2) Funeral home facilities (types of services shall be listed individually);

(3) Embalming;

(a) Disclosures shall be as follows:

(1) "If you selected a funeral that may require embalming...you may.."

(2) "You do not have to pay for embalming if you did not approve..." If we changed for embalming, we will explain..."

(4) Other preparation services (types of services shall be listed individually);

(5) Immediate burial (types of services included in price shall be described);

(6) Direct cremation (types of services shall be described);

(7) Transfer of remains to funeral establishment;

(8) Forwarding of remains to another funeral establishment;

(9) Receiving remains from another funeral establishment;

(10) Automotive equipment (types of services shall be listed individually);

(11) Funeral merchandise (types of services shall be listed individually);

(12) Container selected (types shall be listed and described individually);

(13) Anticipated or actual cash advances and expenditures requested by party contracting for funeral listed individually; "We charge for our services in obtaining ..." Packages state what items package includes;

(14) Packages states what item package includes

(15) Total cost of funeral goods and funeral services selected; and

(16) Disclosures:

(a) "Charges shown are for... If we are required by law or by a cemetery or crematory to use..."

(b) "The only warranty on the casket or outer burial container... This funeral home makes no warranty..."

11. Retention of documents [18 VAC 65-20-700]:

a. Price list retained for one year after effective date, yes or no? If no, document.

b. Itemized statements retained for one year from the date on which the statement was signed, yes or no? If no, document.

c. Embalming reports retained for one year after date of embalming, yes or no? If no, document.

- d. Documents maintained on premises of funeral establishment, yes or no? If no, document.
 - e. Documents transferred to a new owner, if applicable, yes or no? If no, document.
- 12). Preneed Funeral Planning [Section 54.1-2820, 54.1-0822, 54.1-2824, and 54.1-2825, Code of Virginia, and Board Regulation 18 VAC 65-30-80]: Funeral Services licensee and licensed funeral director provide for prearrangement of funeral merchandise and services, yes or no? If yes;
- (a) Contract identifies the following, yes or no? If no, document;
 - (1) contract seller;
 - (2) funeral license number of seller;
 - (3) contract buyer;
 - (4) contract beneficiary;
 - (5) contract date;
 - (6) contract number;
 - (7) complete description of supplies and service purchased;
 - (8) whether price of supplies and services guaranteed or not guaranteed or not guaranteed;
 - (9) Penalties or restriction;
 - (10) All disclosures required by the Board; and
 - (11) Appointee agreement when applicable.
 - (b) Contracts or disclosure statement contains the name, address and telephone number of Board and list Board as regulatory agency handling consumer complaints, yes or no? If no, document.
 - (c) Contracts signed by contract seller and contract buyer, yes or no? If no, document.
 - (d) Licensee maintains accurate accounts, books, and records of all transactions required by these regulations, yes or no? If no, document.
 - (e) Contracts retained on premises of establishment for three years after death of contract beneficiary, yes or no? If no, document.
 - f) Required preneed reporting documents retained on premises of establishment three years.
 - g). Contract provider keeps a chronological listing of all preneed contracts which include the following, yes or no? If no, document;
 - (1) name of contract buyer;
 - (2) contract date;
 - (3) how contract funded;

- (4) whether up to 10 % of funds retained by contract provider for contracts funded through trust; and
- (5) whether funeral goods and supplies are stored for contract buyer.

13. Funding (Board Regulation Part VI):

a. Real Estate [Board Regulation 18 VAC 65-30-130]:

- (1) Contract recorded as an attachment to the deed, yes or no? If no document.
- (2) Deed recorded in clerks' office of the Circuit Court, yes or no? If no, document.

b. Personal Property [Board Regulation 18 VAC 65-30-140]:

- (1) Within 30 days of receiving personal, the licensee shall:
 - (a) Execute declaration trust setting forth the terms, yes or no? If no, document.
 - (b) Record trust agreement filed in the clerks office of Circuit Court, yes, or no? If no, document.
 - (c) Record preneed contract filed in the clerks office of Circuit Court, yes or no? if no, document.

c. Trust Accounts [Section 54.1-2822 and Board Regulation 18 VAC 65-30-170]:

If funds are to be trusted, is the following information disclosed?

- (1) Amount to be trusted, yes or no? If no, document.
- (2) Name of trustee;
- (3) Disposition of interest, yes or no? If no, document.
- (4) Fees, expenses, and taxes which may be deducted from interest, yes or no? If no, document.
- (5) 10% returned by contract provider, yes or no? If no document.
- (6) Contract buyer's responsibility for taxes owed on interest, yes or no? If no, document.
- (7) Trust account in a bank or savings institution in Virginia, yes or no? If no, document.
- (8) Money deposited within 30 days, yes or no? If no, document.

Trust fund separate and identifiable setting forth:

- (a) Name of depositor, yes or no? If no, document.
- (b) Contract beneficiary, yes or no? If no, document.
- (c) Transfer for contract beneficiary, yes or no? If no, document.
- (d) Name of person providing goods and services, yes or no? If no, document.

d. Life Insurance or Annuity

If an insurance or annuity policy is used to fund the personal \ contract, the contract must contain the following:

- (1) Name of contract provider, yes or no? If no, document.
- (2) Name of funeral license number of contract seller, yes or no? If no, document.
- (3) Place of employment of contract seller, yes or no? If no, document.
- (4) Name of insurance agent and agents license number, yes or no? if no, document.
- (5) Insurance agent's employer and insurance company represented by insurance agent, yes, or no? If no, document.
- (6) Insurance agent a funeral service licensee, yes or no? If no, document.
- (7) Insurance agent's funeral license number, yes or no? If no, document.
- (8) A description of the impact of:
 - (a) Any changes, yes or no? If no, document.
 - (b) Any penalties incurring for failure to pay penalties, yes or no? If no document.
 - (c) Any penalties incurred for cancellation or surrender.

B. New Establishment Inspection: The inspector will inspect only those items required prior to opening. The same measures used to inspect in Section VI-A, Routine Inspections, will be used to determine compliance in new establishment inspections. When conducting new establishment inspections, the inspector will determine the following:

- 1. Embalming Report [Board Regulation 18 VAC 65-20-510 and Appendix IV]:
Separate, identifiable report maintained for each embalming conducted, yes or no? If no, document.
 - a. Embalming Report Include:
 - (1) Name of deceased, yes or no? If no, document.

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- (2) Date of death, yes or no? If no, document.
- (3) Date of embalming, yes or no? If no, document.
- (4) Embalmer name and license number, yes or no? If no, document.
- (5) Autopsy information, if applicable, yes or no? If no, document.
- (6) Pre-embalming condition of body, yes or no? If no, document.
- (7) Description of pre-embalming preparation, yes or no? If no, document.
- (8) Description of fluids used, yes or no? If no, document.
- (9) Type and point of injection, yes or no? If no, document.
- (10) Quality of fluid distribution, yes or no? If no, document.
- (11) Type and amount of cavity fluid, yes or no? If no, document.
- (12) Body cavity treatment, yes or no? If no, document.
- (13) Restoration techniques, yes or no? If no, document.
- (14) Other conditions and treatment, yes or no? If no, document.

2. Preparation Room [Section 54.1-2811 of the Code of Virginia and Board Regulation 18 VAC 65-20-540 (A)]: A room used exclusively for embalming, yes or no. If no, document.

Record size of the embalming room on the inspection report form.

3. Preparation Room Requirements [Board Regulation 18 VAC 65-20-540 (B)]: Preparation room equipped with the following:

- a. Walls extending floor to ceiling, yes or no? If no, document.
- b. Floor and wall surfaces covered by material impervious to water, yes or no? If no, document.
- c. Material extend from wall to wall with all joints tight and sanitary, yes or no? If no, document.

4. Condition of Preparation [Board Regulation 18 VAC 65-20-570]:

- a. Preparation Room Sanitation The inspector will check for cleanliness and sanitation. If the room is unclean and not free of filth, used cotton, bandages, and other waste materials, the inspector will describe the conditions on the inspection report form and take photographs to substantiate the exact nature of the unsanitary conditions.
- b. Preparation room floor free of inventories of embalming and preparation materials, yes or no? If no, document.

5. Preparation Room Equipment: [Board Regulation 18 VAC 65-20-580]: Preparation room equipped with the following equipment:

- a. Operational ventilation system, yes or no? If no, document.
- b. Hot water, yes or no? If no, document.
- c. Cold water, yes or no? If no, document.
- d. Flush or slop sink connected with public sewer or septic tank, yes or no? If no, document.
- e. Metal or porcelain morgue table, yes or no? If no, document.
- f. Covered waste container, yes or no? If no, document.

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- g. All instruments and apparatus necessary to the embalming process:
 - h. Approved means for the sterilization of instruments, yes or no. If yes, indicate whether the process is a chemical bath or soak, autoclave (steam), or ultraviolet light.
 - i. All necessary disinfectants and antiseptics, yes or no. If no, document.
(Documentation would include the observance of a container labeled as a disinfectant or antiseptic solution; indicate the name of the solution.)
 - j. Clean rubber gowns or aprons, yes or no? If no, document.
 - k. Rubber gloves, yes or no? If no, document.
 - l. Hydroaspirator(s) equipped with a vacuum breaker, yes or no? If no, document.
 - m. Eye wash station, yes or no? If no, document.
 - n. First aid kit immediately outside the door to the preparation room, yes or no?
If no, document.
6. General Price List [Section 54.1-2812, Code of Virginia and Board Regulation 18 VAC 65-20-630, Appendix I and FTC Regulation 453.2 (4)]: General Price list provided to persons to retain if they choose, yes or no? If no, document.
- a. Required price list contains the following information, yes or no? If no, document.
 - (1) Name, address, and telephone number of funeral provider's place of business.
 - (2) Caption describing the list as a general price list.
 - (3) Effective date for price list.
 - b. Required price list contains the retail prices expressed or either a flat rate or price per hour, mile, or other unit of computation for services and supplies offered for sale, yes or no? If no, document.
 - c. Required price list contains the following disclosures on the first page, yes or no? If no, document.
 - (1) "The goods and services...You may choose...Charge for our services... If legal or other requirements...certain funeral services may be provided off premises..."
 - d. Required price list contains following disclosures professional services, and description of what charge includes, yes or no? If no, document.
 - (1) Basic services of funeral director and staff; and
 - (2) Disclosures: "This fee for our basic and overhead services will be added... This fee already in..."
 - e. Required price list contains following uses of facility and description of what charge includes, yes or no? If no, document.
 - (1) Basic facilities;
 - (2) Facilities for visitation and viewing; and
 - (3) Facilities and staff for funeral ceremony
 - (4) Facilities and staff for memorial service.
 - f. Required price list contains disclosures and separate prices for embalming normal

versus autopsied remains if charges are different, yes or no? If no, document.

- (1) "Except in certain cases..."
- (2) "If you do not want..."

- g. Required price list contains other preparations of body and prices, yes or no? If no, document.
- h. Required price list contain the following immediate burial services and description of what base prices immediate burial services include, yes or no? If no, document.
 - (1) Immediate burial where purchaser provides casket;
 - (2) Immediate burial where licensee provides minimum casket or alternative container;
 - (3) Immediate burial base price plus a casket (other than the minimum) chosen by the purchaser; and
 - (4) Price range for immediate burials.
- i. Required price list contains the following disclosures, direct cremation services and description of what the price of a direct cremation include, yes or no? If no, document.
 - (1) Direct cremation where purchaser provides container;
 - (2) Direct cremation where licensee provides and alternative container.
 - (3) Direct cremation where licensee provides an unfinished wood box;
 - (4) Price range for direct cremation; and
 - (5) Disclosures, if arrange direct cremation: "State and local laws do not require a casket... Can use an alternative container... Alternative container made of..."
- j. Required price list contains following transfer services and description of what base prices for services include, yes or no? If no, document.
 - (1) Transfer remains to funeral establishment.
 - (2) Forwarding remains to another funeral establishment.
 - (3) Receiving remains from another funeral home.
- k. Required price list contains following automotive services if owned by the facility, yes or no? If no, document.
 - (1) Hearse;
 - (2) Limousine; and
 - (3) Other automotive equipment.
- l. Required price list contains disclosure and price for following funeral merchandise if offered for sale, yes or no? If no, document.
 - (1) Caskets; price range
 - (2) Outer Burial Container; price range
 - (3) Cremation Urns;
 - (4) Cremation Vaults;

- (5) Acknowledge Cards;
- (6) Register Book (s);
- (7) Folders; and
- (8) Other
- (9) Disclosure: “A complete price list will be provided at the funeral establishment”

7. Outer Burial Container and Casket Price List [Board Regulation 18 VAC 65-20-630 Appendix II and FTC Regulation 453.2 (2) and (3)]: Funeral provider who sells or offers for sale caskets, alternative containers or outer burial containers must prepare an “Outer Burial Container and Casket Price List”:

a. Container and casket price list:

- (1) Accompany or is a part of general price list, yes or no? If no, document.
- (2) Typewritten or printed and shown to the public, yes or no? If no, document.
- (3) Disclose the following; yes or no? If no, document.

- (a) Name and funeral provider’s place of business;
- (b) Caption describing the list as casket, alternative container, outer burial list;
- (c) Retail prices of all caskets, alternative container and outer burial container which do not require ordering;
- (d) Effective date(s) of price list(s) and;
- (e) Enough information to identify the manufacturer, models, types, and interior of all units available for sale.

b. Casket selection room have available a means for indicating price of each casket within room, yes or no? If no, document.

c. Outer burial container and casket price list contain the following disclosures:

- (1) “The only warranty on the casket or outer burial container... This funeral makes on warranty...”
- (2) “In most areas of the country, no state or local law requires...”

d. Casket price lists contain the following disclosures:

- (1) “The only warranty, etc.”

8. Itemized Statement of Funeral Services [Section 54.1-2812, Code of Virginia and Board Regulation 18 VAC 65-20-630, Appendix II and FTC Regulation 453.2 (5)]: Licensees provide to each person who arranges a funeral or other disposition of Human remains, a copy of an itemized written statement of funeral goods and services selected and prices to be paid for each item, yes or no? If no, document.

- a. Itemized statement signed by funeral service licensee or funeral director and party contracting for funeral arrangements, yes or no? If no, document.
- b. Itemized statement contain a statement that the contracting party acknowledges

the receipt of copy of itemized statement, general price list and container price list, yes or no? If no, document.

- c. Itemized statement include all items and charges which are made available to the contracting party, such as the following categories, yes or no? If no, document.

(1) Professional services of funeral licensees and staff;

- (a) Minimum services of funeral director and staff;
- (b) Optional services of funeral director and staff

(2) Funeral home facilities (types or services shall be listed individually);

(3) Embalming;

(a) Disclosures shall be as follows:

(1) If you selected a funeral that may require embalming... you may"

(2) "You do not have to pay for embalming if you did not approve..."
"If we charge for embalming, we will explain..."

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(4) Other preparation services (types of services shall be listed individually);

(5) Immediate burial (types of services included in price shall be described);

(6) Direct cremation (types of services shall be described);

(7) Transfer remains to funeral establishment;

(8) Forwarding of remains to another establishment;

(9) Receiving remains from another funeral establishment;

(10) Automotive equipment (types of services shall be listed individually);

(11) Funeral merchandise (types of services shall be listed individually);

(12) Container selected (types shall be listed and described individually);

(13) Anticipated or actual cash advances and expenditures requested by party contracting for funeral listed individually; "We charge for our services in obtaining..."

(14) Package state what items package includes.

(15) Total cost of funeral goods and funeral services selected; and

(16) Disclosures:

(a) "Charges shown are only for... If we are required by law a cemetery or or crematory to purchase..."

(b) "The only warranty on the casket or outer burial container... This funeral home makes on warranty..."

- C. Reinspections: The inspector will inspect the deficiencies previously determined.

The inspector will state the deficiencies noted on the previous inspection and the current state of each corresponding item.

The inspector will also inspect the areas outlined in Section VI-A. If the inspector observes an additional item in the inspection, the report shall be so

noted.

VII. CONDUCT OF INSPECTORS DURING INSPECTION

Conduct of inspectors shall be as follows:

- A. Proper introduction, using the Department's business card, and if requested, the Department's identification badge.
- B. Be polite and courteous.
- C. Do not become argumentative over any issue.
- D. Only inspect the items listed on the inspection form.
- E. Be prepared to leave a copy of the regulations and laws. Only direct the licensee to the regulation or law, if known. Contact the Board office where there are questions.

VIII. FREQUENCY OF INSPECTION:

- A. Routine Inspections: A routine inspection of each licensed funeral establishment will be conducted at least once every three years. This would create a three-year inspection rotation of all establishments.
- B. New Establishment Inspections: New establishments inspections will be conducted within five days of the specific date requested by the applicant, provided the application is received 60 days prior to the proposed opening date. After the initial inspection, new establishments will again be inspected within 12 months.
- C. Reinspection: Reinspections will be conducted as requested by the Board on establishments receiving a compliance letter as a result of deficiencies noted during the previous inspection.

The inspection will be conducted within 60 days of the compliance letter.

For establishments with deficiencies corrected and no new violation, the establishment will be scheduled for a biennial inspection.

For establishments with deficiencies not corrected and/or a new violation noted, a report will be provided to the Board for appropriate action.

IX. SELECTION OF ESTABLISHMENTS FOR INSPECTION

- A. Routine Inspections: As stated in Section VIII, each establishment will be Inspected at least once each biennium.

Establishments inspected during an even month of a biennium will be reinspected in a odd month of the following month.

A list of establishments to be inspected in even and odd months of a biennium

will be provided to Inspectors by the Unit's supervisors.

B. New Inspections and Reinspections: New inspections and reinspections will be conducted at the request of the Board. The selection will be determined by the requested inspection date.

X. INSPECTION COSTS

A breakdown of the average time to conduct an inspection, average cost of an inspection, and annual cost of inspections is as follows.

A. Average Time to Conduct Inspections

	<u>Shortest On-Site Time</u>	<u>Longest On-Site Time</u>	<u>Average On-Site Time</u>	<u>Average Travel</u>	<u>Total Average Time</u>
New	1.5 hrs.	2.0 hrs.	1.75 hrs.	1 hr.	2.75 hrs.
Routine	2.0 hrs.	3.0 hrs.	2.0 hrs.	1 hr.	3.0 hrs.
Reinspection	1.5 hrs.	2.5 hrs.	2.0 hrs.	1 hr.	3.0 hrs.

B. Average Cost to Conduct an Inspection

	<u>Average * Hourly Rate</u>	<u>Average Hours to Conduct Inspection</u>	<u>Average Cost Per Inspection</u>
New	\$36.75/hr.	2.75 hrs	\$101.06
Routine	\$36.75/hr.	3.5 hrs	\$128.62
Reinspection	\$36.75/hr.	3.0 hrs	\$110.25

C. Annual Cost of Inspections

	<u>Total No. of Inspections</u>	<u>Total Hours to Inspect</u>	<u>Hourly Rate</u>	<u>Total Cost</u>
New	25	68.75	36.75	2,526.50
Routine	245	735.00	36.75	27,011.25
Reinspection	<u>45</u>	<u>135.00</u>	<u>36.75</u>	<u>4,961.25</u>

Total	295	938.75	36.75	34,499.00
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X. INSPECTION REPORT FORM

A. Routine Inspections

1. All routine, new, and reinspections will be conducted on the Board of Funeral Directors and Embalmers Inspection Report Form, and any addendum will be attached to the inspection report.
- B. Upon completion of the inspection, the inspector will:
 1. Leave the yellow copy of the inspection report with a funeral service licensee (manager) employed by the establishment;
 2. Respond to questions relative to the facts reflected in the inspection report;
 3. Obtain signature of a funeral service licensee employed by the establishment on the inspection form.

*The hourly rate is based on the operational cost of the Inspection Division. The rate will vary each month based on the Division's expenditures. The rate of \$36.75 is an average of July, August, and September 1998. The cost to the Board is determined by the Board's use of the Division.

4. Submit the white or original sheet of the inspection report form, and any addendum, to the Inspection Division, leave the yellow copy with the permit holder, and
 5. Mail new establishment inspection reports to the office of the Inspection Division, by 5: 00 p.m. the day of the inspection.
- C. The Inspection Division shall deliver a new establishment inspection report to the Board office the same day it is received.
 - D. The Inspection Division will forward the inspection report form to the Board within two days of its receipt.
 - E. The Inspection Division will maintain a separate file on each establishment inspection.

XI. EVALUATION OF INSPECTION PLAN

- A. Number of deficiencies cited per inspection. A comparison of this data will be made with the previous year's data. A 50-percent decrease in cited deficiencies

would indicate the inspection program was gaining voluntary compliance with the laws and regulations. *

- B. Total deficiencies cited for all inspections. A comparison of this data will be made with the previous year's data. A 50-percent decrease in cited deficiencies would indicate the inspection program was gaining voluntary compliance with the laws and regulations.*
- C. Number of hearings conducted, compliance letters sent to licensees, and reinspections resulting from inspections. A comparison of this data will be made with the previous year's data. A 30-percent decrease in hearings conducted would indicate a decrease in the seriousness of cited deficiencies; a 20-percent decrease in compliance letters and reinspections would indicate a decrease in seriousness and number of deficiencies.

XIII. SUMMARY REPORT

Provide quarterly summary reports to the Board that would contain the following:

- A. Break-down of Types and Number of Inspections conducted
 - 1. New
 - 2. Routine
 - 3. Reinspections
 - 4. Total of all inspections

*Alternatively, a decrease could indicate inspectors are not as vigorous or aggressive in conducting inspections. All the data in A, B, and C needs to be reviewed in combination.

- B. Board Actions
 - 1. Informal conference
 - 2. Compliance letters
- C. Number of Cases Initiated by Inspections
- D. Number of Deficiencies Cited by Inspections

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